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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,522	06/18/2001	Youiti Kado	362-54	1306

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EXAMINER

AL AUBAIDI, RASHA S

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/883,522

Applicant(s)

KADO ET AL.

Examiner

Rasha S AL-Aubaidi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Drawings***

1. The drawings are objected to because fixed nodes O, and T, which were discussed in the specification, (line 19 of page 5) are not shown in Fig. 1 of the drawing.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 recites the term "operating bus" on page 34 and precisely on line 13. Also, Fig. 1 and the specification disclosed and illustrated the Figure and the term "BUS". Therefore, examiner is not certain about the exact interpretation for this term "BUS". It is unclear whether the term "bus" referred to A "bus as an electrical connection" or as "a method of delivery".

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rignell (US PAT # 6,304,752).

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Regarding claims 1 and 8, Rignell teaches a communication network system to send a data signal by way of a plurality of wireless communication terminals (see col. 2, lines 27-30), wherein said plurality of wireless communication terminals includes at least one mobile communication terminal (reads on mobile telecommunications system PLMN, see col. 3, lines 24-25 or primary station 100, see col. 6, lines 1-14) moving on a predetermined route (this basically means that the mobile device e.g. hand held mobile phone is moving in certain path, see col. 3, lines 35-42) and a fixed communication terminal (reads on fixed station system PSTN, see col. 3, lines 25-26 or secondary station 200, see also Fig. 1 and 2).

Rignell does not exactly teach a plurality of fixed communication terminals moving on a predetermined route.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have more than one fixed communication terminal. An advantage in this scenario is to send the same amount of information to ^αlarger amount of users located at different fixed stations.

Regarding claim 2, Rignell teaches a mobile communication terminal (100) exists in plurality (basically reads on one mobile terminal among others mobile terminals, see col. 3, lines 35-37), each of the fixed communication terminals (200) include a time information storage means (this reads on time stamp 312, see col. 6, lines 26-38, and lines 49-58) to store time information showing a necessary time to transfer said data signal to other fixed communication

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terminals by way of each of the mobile communication terminals (see col. 10, lines 51-58), timetable storage means to store a timetable of each of the mobile communication terminals and specifying means to specify the mobile communication terminal to which said data signal is transferred based upon said time information and said timetable (Rignell teaches that after the information transferred from the mobile station 100 to the memory of the secondary station 200 it will be stored there. This information can be transferred to other stations, see col. 6, and lines 49-58. Therefore, it is obvious to one of ordinary skill in the art to have the secondary station 200 transfer the information to another fixed station for example)

Claim 3 recites "the mobile communication terminal specified by said specifying means is a mobile communication terminal to reach a desired fixed communication terminal in the shortest time." Rignell does not teach specifically that each mobile terminal is specified to reach a fixed terminal in the shortest time. However, Rignell teaches that messages transferred from a mobile terminal to a fixed terminal are calculated within the transfer status block 313, which responsible to deliver that message within a giving time in case of a failure scenarios (see col. 5, lines 47-59).

Claim 4 recites "a predetermined route is a circulating route, the plurality of mobile communication terminals includes a first mobile communication terminal and a second communication terminal each of which circulate in a

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mutually reverse direction, said time information includes a first time information corresponding to said first mobile communication terminal, and second time information corresponding to said second mobile communication terminal”.

Having two mobile terminals traveling in reverse direction and each one of them has time information associated with it is obvious and it does not rise to the level of patentability. This simply could read on two remote/mobile devices that are totally in a separate direction and transmitting data to ^abase station in a certain time which could be different for each of those mobile devices.

Claims 5 and 6 are rejected for the same reasons as discussed above with respect to claims 2 and 4. Also, numerous references disclosed the teaching of first, seconds, ...N route where data and information will be traveling in a telecommunication network. Obviously, at each route an associated destination must be is available to receive this information. Therefore having a fixed station as a stop point that receives the information from a mobile terminal at each route is obvious and well known in the art.

Claim 7 recites “said mobile communication terminal is provided in a regularly operating bus, and said fixed communication terminal is provided in a stop point of the regularly operating bus”. As best understood by the examiner, having a bus transferring the information at each fixed terminal (stop point) is only a one method of delivery among others method. Obviously, one can choose any kind of method to deliver information from point A to point Z.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yoshikawa (US PAT # 6,253,093) teaches an improved way of a data communication between a fixed station device and a mobile station device in a wireless communication (see abstract).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (703) 605-5145. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F Matar, can be reached on 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR


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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner

Rasha S. Al-Aubaidi

12/12/2004


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12/13/04